



**Article: 41**

**Warrant Article Title:**

ZONING BYLAW AMENDMENT / ADMINISTRATIVE  
CORRECTION TO MULTI-FAMILY HOUSING OVERLAY  
DISTRICT STANDARDS

**Warrant Article Text:**

To see if the Town will vote to amend Section 5.8.4.G., Affordable Housing, of the Zoning Bylaw to remove the second sentence of the section; or take any action related thereto.

**Requested By:**

the Redevelopment Board

**Report Excerpt:**

The Board recommends Favorable Action (5-0).

The purpose of Article 41 is to delete a sentence of Zoning Bylaw Section 5.8.4.G which is no longer applicable. When this Section of the bylaw was initially passed by Town Meeting, the Executive Office of Housing and Livable Communities (EOHLC) had not yet approved Arlington's Economic Feasibility Study demonstrating the viability of implementing the Town's Inclusionary Zoning Bylaw in the newly created Multi-Family Housing Overlay Districts. The inclusionary zoning requirement prescribed in Section 8.2.3.A. of the Zoning Bylaw requires that 15% of total developed units in a project with six or more units be deed-restricted as affordable, rather than the 10% mandated by the State in Section 3A of M.G.L. c.40A, also known as the MBTA Communities Act. As a result, Section 5.8.4.G. was written with a sentence addressing the situation prior to EOHLC's approval. EOHLC has since given its approval, so that sentence is now

unnecessary. The Board agreed that this change is strictly administrative.

**Vote Language:**

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.8.4.G, Development Standards, Affordable Housing, as follows:

5.8.4. Development Standards

...

G. Affordable Housing

Section 8.2 of this Bylaw, Affordable Housing Requirements, shall apply to any development under Section 5.8 of this Bylaw containing six or more dwelling units. ~~Until the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) approves using the requirements of Section 8.2 for housing built under Section 5.8 of this Bylaw, the affordability requirements are those allowed in the EOHLC Compliance Guidelines for Chapter 40A, Section 3A: that ten percent of the dwelling units shall be affordable, and the cap on the income of families or individuals who are eligible to occupy the affordable units is not less than 80 percent of area median income, or such other applicable Guidelines as EOHLC shall issue.~~

[Redevelopment Board Report](#)